



Spring 2006

In the pipeline: Proposed amendments to exempt low-emitting sources from construction and operation permits

By Josie Pradella

Wisconsin Act 118, the 2003 regulatory reform law, requires the Department of Natural Resources to provide exemptions from air permitting obligations for sources whose emissions do not present a significant hazard to public health, safety, welfare or to the environment. To meet this requirement, the DNR is proposing changes to chapters [NR 406 \(construction permits, exit DNR\)](#) and [NR 407 \(operation permits, exit DNR\)](#) of the Wisconsin Administrative Code. The changes to NR 406 allow for low-emitting sources to be constructed at an existing facility without obtaining a construction permit. The changes to ch. NR 407 allow low-emitting facilities to be exempt from construction and operation permitting requirements.

Proposed Facility Exemptions

The proposed revision to the operation permit rule (NR 407) would exempt facilities whose actual emissions of each criteria pollutant (particulate matter, sulfur dioxide, nitrogen oxides, carbon monoxide and volatile organic compounds) are less than 10 tons per year as long as they are not subject to other control requirements such as the federal hazardous air pollutant standards. Printers and woodworking shops are among the types of facilities that might benefit from these revisions. The owner or operator of the facility would submit an exemption claim and would then be able to operate, add new emissions units or modify existing emissions units without needing to get a construction or operation permit as long as emissions remained below the 10 tons per year threshold. Facilities must still comply with any non-permitting air pollution regulation or requirement that may be applicable, such as opacity limitations and meeting ambient air quality standards

Proposed Project Exemptions

For facilities that have an operation permit, the proposal would exempt from construction permits those projects involving construction, modification, reconstruction or replacement resulting in emissions of less than 10 tons of actual emissions of each criteria pollutant. This exemption is available as long as the project does not subject the facility to other control requirements such as the federal hazardous air pollutant standards. The department will need to validate the claim for construction permit exemption and is proposing to support this work with an \$800 fee, similar to the fee for the Research and Testing construction permit exemption. Under current permitting requirements, the

Exemptions stem from APII

These permit exemptions are part of DNR's [Air Permit Improvement Initiative \(APII\)](#) to streamline the traditional air permitting process. Focus groups with regulated facilities, environmental groups, economic development specialists and Department staff provided insights being used in the permit system redesign. In addition to permit process streamlining, APII will incorporate new and expanded regulatory tools and make improvements in information technology, management and public involvement.

project would need a construction permit before starting any of the work and would be charged a permit fee of \$2,300 or more.

The rule amendment proposal would also exclude two activities from being treated as modifications:

- ❖ Certain changes to process lines emitting volatile organic compounds, and
- ❖ Conversion of small boilers to use an alternate clean fuel.

At the Natural Resources Board (NRB) meeting in April, the Department requested and received [authorization to conduct public hearings on the proposed rule changes](#). Hearings will be scheduled for late May or early June; dates and locations will be announced on [Air Management's Web page](#). The DNR hopes to request approval and adoption of the rule changes at the August NRB meeting. Once approved by the NRB, DNR would forward the adopted rule package to the Legislature. If that occurs before September 1, 2006, the Legislature could review the adopted rule package this year.

For more information on the proposed permit exemptions, contact Steve Dunn at 608.267.0566 or Steven.Dunn@dnr.state.wi.us.

Pradella works in the Environmental Analysis and Outreach Section in the Bureau of Air Management

Annual monitoring review leads to shifts in some sites

By Eileen Pierce

In response to its annual review of Wisconsin's air quality monitoring network, including comments from citizens, the Department of Natural Resources has added new monitors at Madison and Mayville and discontinued duplicate monitors at other locations.

DNR has more than 40 monitoring sites across Wisconsin that measure the levels of pollution in the air we breathe. Some of these sites are operated year-round, while others run only during the summer months, or as we call it, "ozone season". Some of the measurements are continuous; others occur on an intermittent basis, once every three or six days, consistent with the national sampling schedule established by the U.S. Environmental Protection Agency. Monitoring results are posted on [this web site](#), which is updated hourly.

Each year DNR conducts a comprehensive review of our air monitoring network to determine whether any changes are needed based on changes in air quality, population, technology, or public interest. Our goal is to ensure that we are measuring the right parameters at the right locations, in a cost effective manner.

The network review process includes an opportunity for public review and comment, and a public information meeting. On December 9, 2005, DNR published a public notice initiating the public comment period, which ended on January 31, 2006. A public information meeting was held in Madison on January 13, 2006. During the public comment period we received comments from more than 35 people. Based on these comments DNR finalized the 2006 air monitoring configuration and submitted it to US EPA Region V on February 13, 2006.

In response to overwhelming public comment, we are adding a continuous fine particulate monitor to an existing monitoring site in Madison (East High School). Other factors that support this decision include population growth in Dane County and the measured pollution levels in Madison.

As directed in [U.S. EPA's National Monitoring Strategy](#), we are adding three high sensitivity instruments to our existing site in Mayville. These new instruments will measure the concentrations of nitrogen oxides, sulfur dioxide, and carbon monoxide. This data is needed to support national and state air quality planning efforts.

In an effort to optimize the cost effectiveness of the network, we are shutting down several sites. Here are several examples:

- ◆ We have shut down ozone and carbon monoxide monitoring at our Appleton Avenue monitoring site in Milwaukee. Other nearby sites provided sufficient local air quality information.
- ◆ We have shut down six total suspended particulates (TSP) sites and five sites that measured particulate matter ten microns in diameter and smaller (PM10). Air quality has improved statewide, and Wisconsin no longer measures violations of these standards. Shutting down these sites enables us to continue higher priority monitoring efforts such as ozone and fine particulate matter.
- ◆ We have eliminated fine particulate speciation monitoring at one site in Kenosha. This cut is the result of funding changes at the federal level intended to redirect resources to monitoring in areas that do not meet the federal ambient air quality standard for fine particulate matter.



Monitoring specialist Dan Nickolie removes a filter module from a speciation sampler at DNR's Mayville monitoring site. WDNR photo.

Further details are available on our Web page, [Annual Air Quality Monitoring Network Review](#). If you have any questions, feel free to contact Eileen Pierce at 608.266.1058.

Pierce is chief of the Monitoring Section in the Bureau of Air Management. In May 2006 she will take the reins as Air & Waste Leader in DNR's Southcentral Region.

Cleaner Air Faster - Doing it voluntarily

By Ed Jepsen

Clean air is a benefit to everyone and the environment. However, keeping it clean is something most effectively done when everybody does their part. The Cleaner Air Faster program seeks to complement existing regulatory efforts with a voluntary program that reduces emissions in a cost effective and timely manner while improving public awareness of air quality issues.

Cleaner Air Faster was developed in 2003 as an economic and environmental initiative in Governor Doyle's [Grow Wisconsin plan](#). Ten counties stretching from Brown County south and west down to Rock County currently meet federal air quality standards for ground level ozone; these counties are called **ozone attainment counties**. Brown, Dane, Fond du Lac, Jefferson and Winnebago counties have active voluntary emission reduction programs, while Calumet, Dodge, Outagamie, Rock and Walworth are still developing their programs.

Cleaner Air Faster has two primary goals:

1. To make sure those counties maintain that status by voluntarily reducing emissions contributing to ground level ozone. These reductions should also help the ozone nonattainment counties along Lake Michigan by reducing ozone drift on the prevailing southwesterly winds.
2. To seek emission reductions for other air pollutants such as particle pollution and toxics.

Dane County Clean Air Coalition successes

The Dane County Clean Air Coalition has actively sought a variety of grants and has been very successful in the last year. By working together with other coalition members Dane County CAC has obtained the following grants:

- **UW Health partnership grant:** This \$450K UW Health Partnership grant is a private and public sector collaboration to identify and work with point, area and mobile sources to reduce emissions through energy efficiency, process and transportation changes. Public education is a strong component of this grant program.
- **EPA Clean School Bus grant:** In March 2006, U.S. EPA awarded the Madison Metropolitan School District, on behalf of 14 cooperating school districts and several bus companies, a \$291,000 grant over two years to retrofit 247 school buses in Dane, Fond du Lac, Green, Iowa, Grant and Sauk Counties. This program focuses on adding diesel oxidation catalyst mufflers to the school buses. In Fond du Lac County the buses will also be retrofitted with closed crankcase filtration devices. The award ceremony (see photos) included an educational opportunity at which students from students from the host middle school put a sock on the tailpipe of a typical school bus to capture some diesel pollution. The test is a simple and graphic way to demonstrate the pollution coming from an exhaust pipe.
- **EPA Nonroad Clean Diesel Demonstration:** This is a \$100,000 EPA Nonroad Clean Diesel Demonstration grant to work with private and public sector partners in Milwaukee and Dane Counties.
- **EPA Air Innovation - Green Gas Stations:** This is a \$50,000 EPA Air Innovation grant to reduce VOC and toxic emissions from gasoline service stations (e.g., a "Green Gas Station" initiative). This initiative is focused on air quality, but it has elements of energy efficiency, waste reduction and water quality protection



LEFT: Students from Wright Middle School in Madison doing the "white sock test" on a school bus.
RIGHT: After only 5 minutes the white sock on top is considerably grayer from fine particles captured on the fabric.
WDNR Photos



Why a Cleaner Air Faster program?

Data from DNR monitoring sites shows that more than 95 percent of the time, air quality is [good to moderate](#) for ozone and fine particles in the Cleaner Air Faster counties. However, during hot, stagnant weather, air quality may deteriorate and either ozone or particle pollution, or both, may reach unhealthy levels even in attainment counties. The goal of Cleaner Air Faster is to keep these counties in attainment, protect the quality of life and eliminate the need to reductions required if regulatory driven measures had to be implemented.

Coalition organization

Cleaner Air Faster efforts have been organized at the county level, but the champions for clean air have varied tremendously. The private and public sectors combined energies to create the Dane County Clean Air Coalition (see sidebar, below) while Fond du Lac and Winnebago Counties created the Northeast Wisconsin

Air Coalition. In Jefferson County, county board and agency staff took the lead and established the Clean Air Task Force that eventually became part of the county Solid Waste and Air Quality Committee.

Progress of the coalitions

The coalitions have followed similar paths toward their goals:

1. Each coalition first developed educational materials to inform decision makers and the public about their efforts and the need for broad participation.
2. Coalitions implemented action day programs with outreach to the media and the public to seek voluntary reductions on those infrequent days when air quality conditions deteriorate and exceedances of the health standards might occur.
3. The coalitions are seeking year-round, cost effective emission reductions through voluntary efforts and targeting grant programs to help local citizens, businesses and institutions achieve these reductions.

Cleaner Air Faster coalition Web pages

[Cleaner Air/Action Day Programs in Wisconsin](#)

[Dane County Clean Air Coalition](#)

[Jefferson County, Wisconsin](#) - Click on the ozone link in the left column

For more information about the Cleaner Air Faster program, please contact Ed Jepsen phone 608.266.3538 or email edward.jepsen@wisconsin.gov.

Jepsen works in the Environmental Analysis & Outreach Section in the Bureau of Air Management.

**Wisconsin Department of Natural Resources
Bureau of Air Management
Box 7921- AM/7
Madison, WI 53707
Phone 608-266-7718
Fax 608-267-0560**

The Wisconsin Department of Natural Resources provides equal opportunity in employment, programs, services and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, DC 20240. This newsletter is also available online at <http://dnr.wi.gov/org/aw/air/airmatters/>.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services and functions under an Affirmative Action Plan. If you have any questions, please write to: Equal Opportunity Office, U.S. Department of the Interior, Washington, DC 20240.



Publication AM-337 2006

Air Matters is produced quarterly by the Wisconsin Department of Natural Resources.

To download free PDF copies of the newsletter, visit <http://dnr.wi.gov/org/aw/air/airmatters/>.

To sign up to receive an email notification whenever a new issue of *Air Matters* is posted, send an email to airmatters@dnr.listserv.wi.gov. Leave the subject line blank. In the body of the message type "*subscribe airmatters FirstName_LastName*".

STAFF:

Editors: Anne Urbanski and Marty Burkholder
Associate Editor: Jon Heinrich
PDF Layout/Production: Anne Urbanski
Web Layout/Production: Lena Arvola